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Joan M. Van Zant
Direct Dial: 416.216.1868
Direct Fax: 416.216.3930
jvanzant@ogilvyrenault.com

Toronto, February 11, 2009

VIA FACSIMILE to 571-273-8300

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Dear Sir/Madam:

RE: U.S. Patent Application No. 10/535,050
Title: METHOD FOR PRODUCING CARBON NANOTUBES USING A DC
NON-TRANSFERRED THERMAL PLASMA TORCH
Inventors: HARBEC, David; MEUNIER, Jean-Luc
Our Ref: 1770-322US

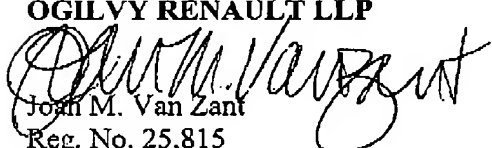
In response to the Denial of Request for Power of Attorney, we submit the following documentation to satisfy the requirements of the USPTO:

1. Transmittal Form;
2. Power of Attorney in favor of the practitioners associated with Customer Number 020988 executed by the assignee, McGill University; and
3. Copy of assignment from the inventors to McGill University.

Please note, the assignment is being filed on same date in the assignment section of the USPTO along with the required fee.

It is not believed that any fees are due with respect to this submission. However, if any fees are required, the Commissioner is authorized to charge our Account No. 195113.

Yours very truly,
OGILVY RENAULT LLP


Joan M. Van Zant
Reg. No. 25,815

JMVZ/ds
Encl.

OGILVY RENAULT LLP / S.E.N.C.R.L., s.r.l.
Barristers & Solicitors
Patent & Trade-mark Agents
DOCSTOR: 16368947

Suite 1600
1981 McGill College Avenue
Montréal, Quebec H3A 2Y3
CANADA

T : 514.847.4747
F : 514.288.8389
montreal@ogilvyrenault.com

ogilvyrenault.com

Montréal . Ottawa . Québec . Toronto . London

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PTO/SI/21 (01-09)

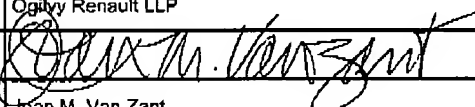
Approved for use through 02/28/2009. OMT: 0651-0031

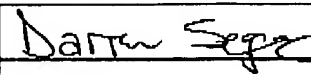
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/535,050
	Filing Date	January 30, 2008
	First Named Inventor	HARBEC, David
	Art Unit	4181
	Examiner Name	Barcena, Carlos
Total Number of Pages in This Submission	Attorney Docket Number	1770-322US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to T1 (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Letter Copy of Assignment
Remarks The Power of Attorney was originally submitted on December 16, 2008 without the assignment, and is being re-submitted today with the assignment. Another copy of the assignment is being filed on same date in the USPTO's assignment section along with the requisite fee.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Ogilvy Renault LLP		
Signature			
Printed name	Juan M. Van Zant		
Date	February 11, 2009	Reg. No.	25,815

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Darren Segac	Date	February 11, 2009

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Print Form

PTO/SB/1 (07-08)

Approved for use through 12/31/2008. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/535,050
	Filing Date	January 30, 2008
	First Named Inventor	Harber, David
	Title	METHOD FOR PRODUCING CARBON NANOTUBES USING
	Art Unit	4101
	Examiner Name	Barone, Carlos
	Attorney Docket Number	1770-32205

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

020988

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☒ The address associated with Customer Number.

020988

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.

OR

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on

SIGNATURE of Applicant or Assignee of Record

Signature

Date

Name

Telephone

Title and Company

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DOCKET NO.: SWAB-0003

PATENT
Joint Inventors
(Pending Application;
Application No. Known)

ASSIGNMENT

WHEREAS, we David HARBEC and Jean-Luc MEUNIER, hereinafter referred to as the assignors, residing respectively at 5360 Victoria Ave., Apt. 2, Montreal, Quebec H3W 2P3, Canada and 10246 St-Hubert, Montreal, Quebec H2C 2H5, Canada are the joint inventors of certain inventions or improvements for which we have made application for Letters Patent to the United States, identified as Application No. 10/535,050, entitled **METHOD FOR PRODUCING CARBON NANOTUBES USING A DC NON-TRANSFERED THERMAL PLASMA TORCH**; and

WHEREAS, McGill University, hereinafter referred to as the assignee, of 845 Sherbrooke Street West, Montreal, Quebec H3A 2T5, Canada, a corporation of Canada, is desirous of acquiring the entire right, title and interest in and to the said inventions or improvements and in and to the said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in any and all countries.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound hereby, we, the said assignors, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over to said assignee, the entire right, title and interest in and to said inventions or improvements and said application and any and all continuations, divisions and renewals of and substitutes for said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in the United States and any and all other countries, and any reissue or reissues or extension or extensions of said Letters Patent, including the full right to sue for and collect damages for past violations of provisional rights having arisen from any publication of said application or any continuations, divisions, or renewals of or substitutes for said application. We further assign to and authorize said assignee, to file in our names applications for Letters Patent in all countries, the same to be held and enjoyed by said assignee, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by us had this assignment, sale and transfer not been made.

AND we hereby covenant that we have full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith, and we further covenant and agree that we will each time request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said inventions or improvements, said application and said Letters Patent to said assignee, its successors, assigns, nominees, or legal representatives, and each of us agrees to communicate to said assignee or to its nominee all known facts respecting said inventions or improvements, said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers to execute all disclaimers and divisional, continuing, reissue and foreign applications, to make all rightful oaths, and generally to do everything possible to aid said assignee, its successors, assigns, nominees and legal representatives to

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DOCKET NO.: SWAB-0003

PATENT
Joint Inventors
(Pending Application;
Application No. Known)

obtain and enforce for its or their own benefit proper patent protection for said inventions or improvements in any and all countries.

AND we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue to said assignee, as assignee of the entire right, title and interest, any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

AND this Assignment may be executed in multiple counterparts, each of which shall be deemed to be an original of this Assignment. Additionally, we hereby authorize our attorneys to collect the signature pages of each executed counterpart and to attach those signature pages to a single copy of this instrument, which single copy and attached signature pages together shall constitute an original of this Assignment.

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

AUGUST 19, 2005
Date

David Harbec (L.S.)
David Harbec

STATEMENT OF WITNESS

SIGNED at Montreal, Quebec, Canada
(City) (Country)

This 19th day of August, 2005.

I, Dimitrios Berk whose full
residence address is 4843 Victoria Ave, Montreal, QC, H3W 2M9

Canada
was personally present and did see David Harbec execute the above assignment on the
19th day of August, 2005, and such assignor is personally known to me to be
the person described in such document.

[Signature]
Signature of Witness

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DOCKET NO.: SWAB-0003

PATENT
Joint Inventors
(Pending Application;
Application No. Known)

August 19 2005
Date

Jean-Luc Meunier (L.S.)
Jean-Luc Meunier

STATEMENT OF WITNESS

SIGNED at Montreal, Quebec, Canada
(City) (Country)

This 19th day of August, 2005.

I, Dimitrios Berle whose full
residence address is 4843 Victoria Ave Montreal, QC, H3L 2M9
CANADA

was personally present and did see Jean-Luc Meunier execute the above assignment on the
19th day of August, 2005, and such assignor is personally known to me to be
the person described in such document.

[Signature]
Signature of Witness